IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

(1) S.B. CIVIL WRIT PETITION NO. 1909/2000
M/S PRAVEEN PUBLICITY, JAIPUR & ANR.
Vs.
THE STATE OF RAJASTHAN & ANR.
and
(2)S.B. CIVIL WRIT PETITION NO. 1845/2000
N.S. PUBLICITY AGENCY & ANR.
Vs.
THE STATE OF RAJASTHAN & ANR.

DATE: 24.08.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

None present for the petitioners.
Mr. Shyam Arya, Govt. Advocate for the State.
Dr. P.C. Jain for respondent No.2.

****

Since in both the writ petitions similar questions of facts and law are involved, therefore, they are heard together and are being decided by this common order.

These writ petitions are directed against the impugned orders dated 30.03.2000, 03.04.2000 and 15.04.2000, by which license fee on the hoardings has been increased.

The controversy involved in these writ petitions has already been decided by this Court **vide order dated 03.03.2004 passed in S.B. Civil Writ Petition No. 3223/2002- M/s National Advertising**

Company Vs. The State of Rajasthan and ors., whereby this Court has held as under:-

> "12. for the reasons mentioned above, it is concluded as under:-
>
> i) Increase in the licence fee from Rs. 20 to to Rs. 35 through notification dtd. 12.8.2002 (Annex.14) issued by the State Government is not in violation of the order of this Court dtd. 10.8.89 (Annex.1).
>
> ii) Levy of licence fee of Rs. 35 in place of Rs. 20 for installing hoardings through notification dtd. 12.8.2002 (Annex.4) issued by the State Government is regulatory in nature and not compensatory and it cannot be termed as tax.
>
> iii) Thus, increase in licence fee from Rs. 20/- to Rs. 35/- for installing hoardings/ signboards through notification dtd. 12.8.2002 (Annex.14) issued by the State Government by making amendment in the Bye-laws of 1974 is constitutionally valid."

Upon careful perusal of the observations made by the co-ordinate Bench of this Court in the aforementioned case, as the present writ petitions are also with relation to increase of license fee, for enhancement of license fee the State is competent to enhance the rate.

In the light of ratio decided by this Court in the aforementioned case of **M/s National Advertising Company Vs. The State of Rajasthan and ors. (supra)** vide order dated 03.03.2004, both the present writ petitions deserve to be dismissed and the petitioners are not entitled to any relief in these writ petitions as no legal right of the petitioners has been infringed.

Consequently, both the writ petitions fail and the same are hereby dismissed.

(K.S. RATHORE),J.

/KKC/